

## REMARKS

Claims remaining in the present application are Claims 5-17 and 22-29. Claims 5 and 11 have been amended. Claims 17-21 have been cancelled, without prejudice. Claims 22-29 have been added. No new matter has been added as a result of these claim amendments.

## CLAIM REJECTIONS

### 35 U.S.C. §102

Claim 17 is rejected under 35 U.S.C §102 as being anticipated by Abdous et al., U.S. Pat. No. 5,557,210 (hereinafter Abdous). The rejection is moot in light of the cancellation of Claim 17, without prejudice.

### 35 U.S.C. §103

Claims 5-16 and 18-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Abdous in view of Boothby, U.S. Pat. No. 6,405,218 (hereinafter Boothby) and Schwitters et al, U.S. Pat. No. 6,526,413 (hereinafter Schwitters). The rejection to Claims 5-16 is respectfully traversed for the following reasons. The rejection to Claims 18-21 is moot in light of the claim cancellations, without prejudice. It is respectfully submitted that Claims 5-16 are neither taught nor suggested by Abdous, Boothby, or Schwitters, alone or in combination.

Amended Independent Claim 5 recites, in part:

b) synchronizing said bootstrap server with said portable computer system by other than a cradle device, wherein said server uses synchronization software which is compatible with a core set of communication functions stored in said portable computer system's non-volatile memory that is adapted to synchronize said portable computer system via a cradle device;

Amended Claim 5 recites that the bootstrap server synchronizes with the portable computer system by other than a cradle device, using software on the server that is compatible with software on the personal digital assistant that is adapted to synchronize the portable computer system via a cradle device. Thus, the portable computer system is able to synchronize with the bootstrap server, using software code adapted to use with a cradle device, even though the bootstrap server and portable computer system do not use a cradle device for synchronization.

Abdous fails to teach or suggest "synchronizing said bootstrap server with said portable computer system by other than a cradle device, wherein said server uses synchronization software which is compatible with a core set of communication functions stored in said portable computer system's non-volatile memory that is adapted to synchronize said portable computer system via a cradle device," as claimed.

Abdous does not teach or suggest the claimed synchronization code on the portable computer system that is adapted for use via a cradle device. Furthermore, while Abdous may teach a server communicating via other than a cradle device, Abdous does not teach that the server uses code that is compatible with synchronization code in the portable computer system that is adapted for use via a cradle device, while communicating with the portable communication system via other than a cradle device. At best, Abdous teaches a system in which software on a terminal that is adapted for use with the server is used to communicate with the server. Thus, Abdous does not teach or suggest that the server may be used to bootstrap a portable computer system that is using the claimed synchronization software that is adapted for use via a cradle device, even though a cradle device is not used for the synchronization.

Schwitters fails to remedy this deficiency in Abdous in that Schwitters fails to teach or suggest, "synchronizing said bootstrap server with said portable computer system by other than a cradle device, wherein said server uses synchronization software which is compatible with a core set of communication functions stored in said portable computer system's non-volatile memory that is adapted to synchronize said portable computer system via a cradle device," as claimed.

Schwitters may depict a hand-held device (22) communicating with a server (24) in Figure 1. However, the combination of Schwitters and Abdous fails to teach or suggest the above-recited claim limitations. Applicants note that the rejection is interpreting the terminal in Abdous as the claimed portable computer system. However, Applicants respectfully assert that the terminal in Abdous is not portable. Thus, Abdous clearly fails to meet this limitation of Claim 5. The combination of Schwitters and Abdous fails to teach or suggest the limitations of Claim 5 because even if the terminal in Abdous were to be replaced with the hand-held device in Schwitters, the limitations in Claim 5 would not be met. This is because the combined teaching of Abdous and Schwitters does not teach or suggest the concept of synchronizing a server with a portable computer system by other than a cradle device, while the portable computer system uses software that is adapted to synchronize the portable computer system via a cradle device.

Furthermore, Boothby fails to remedy this deficiency in Abdous and Schwitters in that Boothby fails to teach or suggest, "synchronizing said bootstrap server with said portable computer system by other than a cradle device, wherein said server uses synchronization software which is compatible with a core set of communication functions stored in said portable computer system's non-volatile

memory that is adapted to synchronize said portable computer system via a cradle device,” as claimed. Thus, the cited combination also fails to teach or suggest this claim limitation.

For the foregoing rationale, the limitations of amended Claim 5 are neither taught nor suggested by Abdous, Boothby, or Schwitters, alone or in combination. As such, allowance of Claim 5 is respectfully solicited.

Claims 6-10 depend from Claim 5, which is believed to be allowable for the foregoing rationale. As such, it is respectfully asserted that the rejection of Claims 6-10 has been overcome and their allowance is earnestly solicited.

Claim 11 recites, in part:

a bootstrap server having bootstrap synchronization software stored thereon, said bootstrap synchronization software operable to allow a portable computer system to synchronize with said bootstrap server via other than a cradle device by using non-volatile memory based synchronization software stored in non-volatile memory on said portable computer system that is adapted to synchronize said portable computer system via a cradle device; and

For the reasons discussed in the response to Claim 5, Claim 11 is neither taught nor suggested by Abdous, Boothby, or Schwitters, alone or in combination. As such, allowance of Claim 11 is respectfully solicited.

Claims 12-16 depend from Claim 11, which is believed to be allowable for the foregoing rationale. As such, it is respectfully asserted that the rejection of Claims 12-16 has been overcome and their allowance is earnestly solicited.

## NEW CLAIMS

Claims 22-29 have been added. Support for these claims may be found in the instant specification at least in Figures 9 and 10 and the associated text describing those figures. No new matter has been added as a result of these new claims. It is respectfully submitted that new Claims 22-29 are not taught or suggested in the cited art.

New Claim 22 recites:

A method of restoring basic functionality to a device comprising the steps of:

- a) providing a portal to bootstrap a portable electronic device such that basic functionality is restored to the portable electronic device;
- b) receiving a request from the portable electronic device for synchronization over said portal; and
- c) synchronizing said bootstrap server with the portable electronic device, wherein said bootstrap server uses synchronization software which is compatible with a core set of communication functions stored in said portable electronic device's non-volatile memory, said synchronizing comprising transferring first software from said bootstrap server to a volatile memory unit of said portable electronic device, wherein said portable electronic device regains basic functionality.

New Claim 22 recites, "providing a portal to bootstrap a portable electronic device such that basic functionality is restored to the portable electronic device." The portal that is provided by this embodiment of the present invention allows a portable electronic device to be bootstrapped. Abdous, for example, teaches a system in which terminals communicate with a server. However, Abdous fails to teach or suggest providing a portal to bootstrap a portable electronic device. Schwitters may depict a hand-held device communicating with a server. However, Schwitters fails to teach or suggest providing a portal to bootstrap a portable electronic device such that basic functionality is restored to the portable electronic device. For the foregoing reasons, Claims 22-29 are

believed to be allowable over the cited art. Therefore, Applicants earnestly request their allowance.


### CONCLUSION

In light of the above listed amendments and remarks, reconsideration of the rejected Claims is requested. Based on the amendments and arguments presented above, it is respectfully submitted that Claims 5-16, and 22-29 overcome the rejections of record. Therefore, allowance of Claims 5-16 and 22-29 is earnestly solicited.

Should the Examiner have a question regarding the instant response, the Applicant invites the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

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Respectfully submitted,  
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